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Attorneys for Debtors

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re:

Case Nos. BK-S-06-10725 LBR

Chapter 11

USA COMMERCIAL MORTGAGE
COMPANY,

Debtor.

**DECLARATION OF LENARD E.
SCHWARTZER IN SUPPORT OF
APPLICATION BY DEBTOR AND
DEBTOR-IN-POSSESSION FOR
AUTHORIZATION TO RETAIN AND
EMPLOY SCHWARTZER &
McPHERSON LAW FIRM AS COUNSEL
UNDER GENERAL RETAINER**

Date:

Time:

SCHWARTZER & MCPHERSON LAW FIRM

2850 South Jones Boulevard, Suite 1

Las Vegas, Nevada 89146-5308

Tel: (702) 228-7590 • Fax: (702) 892-0122

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1 Lenard E. Schwartzer states and declares as follows:

2 1. I am an attorney and counselor at law, duly admitted to practice before all Courts of
3 the State of Nevada and before the United States District Court for the District of Nevada.

4 2. I am a partner in the Schwartzer & McPherson Law Firm (the "Firm") which
5 maintains offices at 2850 South Jones Blvd., Suite 1, Las Vegas NV 89146.

6 3. The Firm is who the Debtor desires to represent it in the above entitled case. I am
7 experienced in bankruptcy proceedings and am willing to accept as compensation such amounts as
8 may hereafter be allowed by this Court, after notice and hearing. Other members of the Firm are
9 experienced litigators and if matters arise in other Nevada courts which make it necessary to
10 obtain litigation counsel, the Firm is willing to accept as compensation such amounts as may
11 hereafter be allowed by this Court, after notice and hearing.

12 4. A summary of the hourly billing rates for the Firm is attached hereto as **Exhibit A**.
13 The Firm's hourly rates are billed at the rate of \$425 for Lenard E. Schwartzer and various hourly
14 rates for other counsel and support staff within the Firm are set forth in Exhibit A. The Firm will
15 not seek to raise the rates of any member of the Firm for a minimum of six (6) months after the
16 date of the entry of the order approving its employment. The Firm reserves the right to seek an
17 increase in hourly rates in accord with the U.S. Trustee's Guideline on this matter.

18 5. Neither I nor any member of the Firm represents any interest that is adverse to the
19 Debtor, the bankruptcy estate, or any other party in interest herein, their respective attorneys and
20 accountants, the U.S. Trustee, or any person employed in the Office of the U.S. Trustee in matters
21 upon which it will be engaged as counsel. **Exhibit B** sets forth the names reviewed to identify
22 any connection or relationship.

23 6. The undersigned has not shared or agreed to share with any other entity, other than
24 with members of the undersigned's law firm, any compensation paid or to be paid.

25 I declare, under penalty of perjury, that the foregoing is true and correct, to the best of my
26 knowledge, information and belief.

27 DATED: April 14, 2006.

28 
LENARD E. SCHWARTZER, ESQ.

EXHIBIT A

SCHWARTZER & MCPHERSON LAW FIRM
BILLING RATES AS OF APRIL 13, 2006

ATTORNEYS

Lenard E. Schwartzer	(LES)	\$425
Jeanette E. McPherson	(JEM)	\$325
Jason A. Imes	(JAI)	\$225

PARALEGAL

Linda Daugherty	(LD)	\$140
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LEGAL ASSISTANT

Angela Hosey	(LA)	\$100
Lia Dorsey	(LA)	\$100

EXHIBIT B

This information is being provided in connection with the Declaration of Lenard E. Schwartzer in support the Application for Order Authorizing the Retention and Employment of Schwartzer & McPherson Law Firm. The following names were reviewed to identify any connection or relationship:

USA Commercial Mortgage Company	Debtor
USA Securities, LLC	Debtor
USA Capital Realty Advisors, LLC	Debtor
USA Capital Diversified Trust Deed Fund, LLC	Debtor
USA Capital First Trust Deed Fund, LLC	Debtor
USA Investment Partners, LLC	Affiliated Entities
USA Commercial Real Estate Group	Affiliated Entities
Joseph D. Milanowski	Owners/Directors
Thomas A. Hantges	Owners/Directors
Paul S. Hamilton	Owners/Directors
Ray Quinney & Nebeker	Outside Counsel
Nevada State Bank	Unsecured Creditors
Pecos Professional Park	Unsecured Creditors
Wells Fargo Bank	Unsecured Creditors
Bank of America	Unsecured Creditors
Haspinov, LLC.	Unsecured Creditors
USA Capital RE Group	Unsecured Creditors
Citibank	Unsecured Creditors
US Bank	Unsecured Creditors
Advanced Information Systems	Unsecured Creditors
Goold Patterson Ales & Day	Unsecured Creditors
West Coast Life Insurance Company	Unsecured Creditors
RD Advertising	Unsecured Creditors
Redwood Prop	Unsecured Creditors
Special Order Systems	Unsecured Creditors
Scotsman Publishing, Inc.	Unsecured Creditors
Mesirow Financial Consulting, LLC	Restructuring Consultants